

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**EVELYN W. JACOB**

**PLAINTIFF**

**V.**

**NO. 4:25-CV-30-DMB-JMV**

**GREENWOOD LEFLORE  
CONSOLIDATED SCHOOL  
DISTRICT, et al.**

**DEFENDANTS**

**ORDER**

On April 7, 2025, United States Magistrate Judge Jane M. Virden issued a report (“R&R”) recommending that Evelyn W. Jacob’s case be dismissed without prejudice. Doc. #11. The R&R warned Jacob that “[h]er failure to file written objections to the [R&R] within (14) fourteen days ... shall bar her, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court.” *Id.* at 7. No objections to the R&R were filed.<sup>1</sup>

Under 28 U.S.C. § 636(b)(1)(C), “[a] judge of the court shall make a de novo determination of those portions of the report ... to which objection is made.” “[P]lain error review applies ‘where a party did not object to a magistrate judge’s finding of fact, conclusions of law, or recommendation to the district court’ despite being ‘served with notice of the consequences of failing to object.’” *Quintero v. State of Tex. – Health and Hum. Servs. Comm’n*, No. 22-50916, 2023 WL 5236785, at \*1 (5th Cir. Aug. 15, 2023) (citation omitted). “[W]here there is no

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<sup>1</sup> On April 22—after the objection deadline—Jacob filed a 57-page compilation of various documents, with no explanation as to its purpose or relevance. Doc. #12. Because such consists of irrelevant information or documents filed before the R&R’s issuance, *see generally id.*, the filing cannot, and will not, be deemed an objection to the R&R, even if timely filed.

objection, the Court need only determine whether the report and recommendation is clearly erroneous or contrary to law.” *United States v. Alaniz*, 278 F. Supp. 3d 944, 948 (S.D. Tex. 2017).

Because the Court reviewed the R&R for plain error and concludes that the R&R is neither clearly erroneous nor contrary to law, the R&R [11] is **ADOPTED** as the order of the Court. This case is **DISMISSED without prejudice**.

**SO ORDERED**, this 2nd day of June, 2025.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**